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March 20, 2025

BY ECF

Magistrate Judge Valerie Figueredo
United States District Court for the
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Xue Shan Wang v. NYC Dept. of Youth and Community Development, City of New York, et al, 21-cv-6271(LGS)(VF)

Dear Judge Figueredo,

This firm represents Plaintiff Xue Shan Wang (“Plaintiff”) in the above-referenced workplace disability discrimination and retaliation matter. We write to respectfully request the Court to compel Defendants to provide us with Jagdeen Phanor’s (“Ms. Phanor”) address, email and phone number in order for Plaintiff to issue her with a deposition subpoena and to also compel Ms. Phanor to appear for her deposition.

By way of background, on March 10, 2025 the Court granted Plaintiff’s motion to take Ms. Phanor’s supplemental deposition (ECF No. 122). Since Ms. Phanor is no longer employed by Defendant NYC Dept. of Youth and Community Development (“DYCD”), the undersigned immediately emailed Defense counsel Bryan Olert (“Mr. Olert”) on March 10, 2025 seeking clarification as whether the Law Department will be representing Ms. Phanor for her supplemental deposition given that the Law Department opposed Plaintiff’s motion to take Ms. Phanor’s deposition and, if yes, to provide me with Ms. Phanor’s availabilities. On March 19, 2025, Mr. Olert informed me by phone that Ms. Phanor is refusing to appear for her deposition and that DYCD or the City of New York is refusing to provide Ms. Phanor’s contact information.

In this light we respectfully request the Court to compel DYCD or the City of New York to provide Ms. Phanor’s address, email and phone number in order for Plaintiff so we can issue a deposition subpoena to Ms. Phanor and to compel Ms. Phanor to appear for her deposition. Mr. Olert has informed me that he takes no position to my request to compel his clients for Ms. Phanor’s contact information.

Finally, we also respectfully request the Court to grant Plaintiff cost for the submission of this letter motion to Compel from Defendants and any other relief the Court deems just and proper.

We thank the Court for its continued time and attention to this matter.

Respectfully Submitted,

/s/ William Li

William Li

cc: Defendants' Counsel (Via ECF)

MEMO ENDORSED


HON. VALERIE FIGUEREDO
UNITED STATES MAGISTRATE JUDGE

Dated: 3/21/2025

Defendant NYC Department of Youth and Community Development and/or the City of New York is directed to provide Plaintiff's counsel with the mailing address for Ms. Jagdeean Phanor by **Friday, March 28, 2025**, so that counsel can serve a deposition subpoena on her. Plaintiff's motion to compel Ms. Phanor to sit for a deposition is premature. If Ms. Phanor refuses to comply with the subpoena once served, Plaintiff's counsel can then file a proper motion to compel. Plaintiff's request for costs is denied. The Clerk of Court is respectfully directed to terminate the motion at ECF No. 123.